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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/52/638)]

52/100. Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and the Platform for Action

The General Assembly,

Recalling its resolutions 50/42 of 8 December 1995, 50/203 of 22 December 1995 and 51/69 of 12 December 1996,

Taking note of Economic and Social Council resolutions 1996/6 of 22 July 1996 on the follow-up to the Fourth World Conference on Women and 1996/34 of 25 July 1996 on the system-wide medium-term plan for the advancement of women, 1996-2001, as well as the Council's agreed conclusions 1997/2 on mainstreaming a gender perspective into all policies and programmes in the United Nations system,[1]

Reaffirming that the implementation of the Platform for Action of the Fourth World Conference on Women[2] will require immediate and concerted action by all to create a peaceful, just and humane world based on all human rights and fundamental freedoms, including the principle of equality for all people of all ages and from all walks of life, and, to that end, recognizing that broad-based and sustained economic growth in the context of sustainable development is necessary to sustain social development and social justice,

Deeply convinced that the Beijing Declaration[3] and the Platform for Action adopted at the Fourth World Conference on Women are important contributions to the advancement of women worldwide and must be

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[1] See A/52/3, chap. IV, sect. A. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 3*.

[2] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), resolution 1, annex II.

[3] Ibid., annex I.

translated into effective action by all States, the United Nations system and other organizations concerned, as well as by non-governmental organizations,

Recognizing that the implementation of the Platform for Action rests primarily at the national level, that Governments, non-governmental organizations and public and private institutions should be involved in the implementation process and that national mechanisms also have an important role to play, and bearing in mind the fact that promotion of international cooperation is essential for the effective implementation of the Beijing Declaration and the Platform for Action,

Reaffirming its decision that the General Assembly, the Economic and Social Council and the Commission on the Status of Women, in accordance with their respective mandates and with its resolution 48/162 of 20 December 1993 and other relevant resolutions, constitute a three-tiered intergovernmental mechanism that plays the primary role in the overall policy-making and follow-up and in coordinating the implementation and monitoring of the Platform for Action, and reaffirming the need for a coordinated follow-up to and implementation of the results of major international conferences in the economic, social and related fields,

Reaffirming that the Commission on the Status of Women has a central role as a functional commission assisting the Economic and Social Council in the monitoring, within the United Nations system, of the implementation of the Platform for Action and in advising the Council thereon and should therefore be strengthened,

Reaffirming also that the Economic and Social Council should continue to oversee system-wide coordination on the basis of an integrated approach in the implementation of the Platform for Action, including the mainstreaming of a gender perspective, and should ensure overall coordination of the follow-up to and implementation of the results of all United Nations international conferences in the economic, social and related fields and report thereon to the General Assembly,

1. *Takes note with appreciation* of the report of the Secretary-General on the implementation of the outcome of the Fourth World Conference on Women;[4]

2. *Welcomes* the initiatives and actions taken by Governments, the United Nations system and other international organizations, including their secretariats, as well as by non-governmental organizations and other actors of civil society, towards the implementation of the Beijing Declaration and the Platform for Action adopted by the Conference;

3. *Stresses* that Governments have the primary responsibility for implementing the Platform for Action, and reaffirms that Governments should continue to commit themselves at the highest political level to its implementation and should take a leading role in coordinating, monitoring and assessing progress in the advancement of women;

4. *Calls once again upon* States, the United Nations system and all other actors to implement the Platform for Action, in particular by promoting an active and visible policy of mainstreaming a gender perspective at all levels, including in the design, monitoring and evaluation of all policies and programmes to ensure effective implementation of all critical areas of concern in the Platform for Action;

5. *Calls for* intensified efforts at the international level to integrate the equal status and all human rights of women into the mainstream of United Nations system-wide activity and to address those issues regularly and systematically throughout the relevant United Nations bodies and mechanisms;

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[4] A/52/281.

6. *Draws attention* to the need to give due consideration to the human rights of women and the girl child in the preparations for the five-year review of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[5] and the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights;[6]

7. *Welcomes* the adoption, by the Economic and Social Council, of agreed conclusions 1997/2 on mainstreaming a gender perspective into all policies and programmes in the United Nations system,[1] to serve as a comprehensive basis for concrete steps to achieve measurable progress in gender mainstreaming at all levels and in all areas, and endorses the definition, set of principles and specific recommendations for gender mainstreaming contained therein;

8. *Welcomes also* the steps already taken by the Secretary-General to draw the attention of all senior managers in the United Nations system to agreed conclusions 1997/2 of the Economic and Social Council and to the need to ensure full accountability for their implementation, urges the Secretary-General to continue his efforts to ensure that managers are held accountable for gender mainstreaming in their areas of responsibility, and requests the Secretary-General and his senior managers to ensure, *inter alia*, in the work of the executive committees, that gender mainstreaming is systematically integrated in the reform process of the United Nations;

9. *Reiterates* that gender mainstreaming as a strategy for achieving gender equality must become an integral part of all policies and programmes in the United Nations system and of national activities to follow-up and implement the Platform for Action and the outcomes of other recent United Nations conferences;

10. *Directs* all of its committees and bodies, and draws the attention of other bodies of the United Nations system to the need to mainstream a gender perspective systematically into all areas of their work, in particular in such areas as macroeconomic questions, operational activities for development, poverty eradication, human rights, humanitarian assistance, budgeting, disarmament, peace and security and legal and political matters;

11. *Requests* all bodies that deal with programme and budgetary matters, including the Committee for Programme and Coordination, to ensure that all programmes, medium-term plans and programme budgets visibly mainstream a gender perspective;

12. *Invites* other intergovernmental bodies, such as the governing bodies of the United Nations funds and programmes, to monitor the way in which the concerned agencies, funds and programmes implement gender mainstreaming in their respective medium-term plans and programme budgets, including at the field level;

13. *Reiterates* the Council's request to the Secretariat to present issues and approaches in a gender-sensitive manner when preparing reports, so as to provide the intergovernmental machinery with an analytical basis for gender-responsive policy formulation;

14. *Emphasizes* that the role of gender focal points as catalysts for gender mainstreaming and in providing advice, guidance and assistance in monitoring of progress needs to be strengthened, including through adequate resources and through support at the most senior levels of management and decision-making;

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[5] A/CONF.157/24 (Part I), chap. III.

[6] Resolution 217 A (III).

15. *Requests* the Economic and Social Council to ensure that gender mainstreaming is an integral part of all its activities concerning integrated follow-up to recent United Nations conferences, building upon its agreed conclusions 1997/2;

16. *Urges* Governments that have not yet done so to establish or strengthen appropriate national machineries for the advancement of women at the highest political level, appropriate intra- and inter-ministerial procedures and staffing and other institutions with the mandate and capacity to broaden women's participation and integrate gender analysis into policies and programmes;

17. *Notes with appreciation* that many Governments have developed national strategies and action plans, some of them in consultation with non-governmental organizations, and urges those Governments that have not yet done so to prepare national action plans as strategic planning instruments, and to do so in consultation with non-governmental organizations, in full implementation of the Platform for Action, and to participate in the discussion by the Commission on the Status of Women in 1998 of a synthesis of national action plans as a first step in the comprehensive review and appraisal of the implementation of the Platform for Action;

18. *Encourages* non-governmental organizations, including women's organizations, to contribute to the design and implementation of these strategies or national plans of action in addition to their own programmes that complement government efforts;

19. *Calls upon* Governments to invite and encourage the active support and participation of all women and men and a broad and diverse range of institutional actors, including legislative bodies, academic and research institutions, professional associations, trade unions, local community groups and the media, as well as financial and non-profit organizations, in the implementation of the Platform for Action, while emphasizing the principle of shared responsibility between women and men for the achievement of gender equality;

20. *Recognizes* the importance attached to the regional and subregional monitoring of the global and regional platforms for action by regional commissions and other subregional or regional structures, within their mandates, in consultation with Governments, as well as the necessity of promoting cooperation among Governments of the same region in that respect;

21. *Calls upon* States to take action to fulfil the commitments for the advancement of women and for the strengthening of international cooperation made at the Fourth World Conference on Women, and reaffirms that adequate financial resources should be committed at the international level for the implementation of the Platform for Action in developing countries, in particular those in Africa and the least developed countries;

22. *Invites* the Secretary-General, in the implementation of the United Nations System-wide Special Initiative for Africa, to pay special attention to the needs and role of women as actors and beneficiaries in the development process;

23. *Recognizes* that implementation of the Platform for Action in the countries with economies in transition requires continued international cooperation and assistance, as indicated in the Platform for Action;

24. *Reaffirms* that, in order to implement the Platform for Action, a reformulation of policies and reallocation of resources may be needed, but that some policy changes may not necessarily have financial implications;

25. *Also reaffirms* that, in order to implement the Platform for Action, adequate mobilization of resources at the national and international levels, as well as new and additional resources to the developing countries, in particular those in Africa and the least developed countries, from all available funding mechanisms, including multilateral, bilateral and private sources for the advancement of women, will also be required;

26. *Calls upon* Member States to allocate sufficient resources for undertaking gender impact analyses in order to develop successful national implementation strategies for the Platform for Action;

27. *Recognizes* that the creation of an enabling environment at the national and international levels is necessary to ensure the full participation of women in economic activities, and calls upon States to remove obstacles for the full implementation of the Beijing Declaration and the Platform for Action;

28. *Requests* Governments and the international community to implement specific programmes for the eradication of poverty and illiteracy, ensuring women's equal access to education, training, credit, employment and the promotion of entrepreneurial activities, and strongly urges the international community to support national efforts towards the advancement of women in developing countries, particularly those in Africa and the least developed countries;

29. *Stresses* that full and effective implementation of the Platform for Action will require a political commitment to make available human and financial resources for the empowerment of women, the integration of a gender perspective in budgetary decisions on policies and programmes and adequate financing of specific programmes for securing equality between women and men;

30. *Calls upon* Member States to commit themselves to achieving gender balance by, *inter alia*, aiming at gender balance in the composition of delegations to the United Nations and other international forums and by presenting, promoting and appointing women candidates in all government-appointed committees, boards and other relevant official bodies, as well as in all international bodies, institutions and organizations;

31. *Requests* the Secretary-General, in his capacity as Chairman of the Administrative Committee on Coordination, to formulate a new system-wide medium-term plan for the advancement of women to cover the period 2002-2005, to submit a new draft plan to the Economic and Social Council at its substantive session of 2000, taking into consideration the results of the Council's 1998 comprehensive mid-term review of the plan covering the period 1996-2001, in order to provide guidance for the medium-term plans of the individual organizations and bodies of the United Nations system, and to submit the draft plan to the Commission on the Status of Women at its forty-fourth session for comments;

32. *Invites* the Economic and Social Council to devote one high-level segment and one operational segment to the advancement of women and the implementation of the Platform for Action, taking into account the multi-year programme of work of the Commission on the Status of Women and all other functional commissions of the Council and the need for a system-wide approach to the implementation of the Platform for Action;

33. *Welcomes* the Council's decision to monitor annually, under an item entitled "Integrated and coordinated implementation and follow-up of the major United Nations conferences and summits", the way in which its functional commissions and subsidiary bodies mainstream a gender perspective, on the basis of the annual report on the follow-up to the Fourth World Conference on Women, and once again invites all functional commissions of the Economic and Social Council, within their mandates, to take due account of the Platform for Action and to ensure the integration of gender aspects in their respective areas of work;

34. *Reiterates* its request to the Secretary-General to ensure that the Division for the Advancement of Women of the Secretariat can effectively carry out all the tasks foreseen for it in the Platform for Action by, *inter alia*, providing sufficient human and financial resources within the regular budget of the United Nations and to ensure that the Division can play a catalytic role in support of gender mainstreaming in the new Department of Economic and Social Affairs of the Secretariat and through policy advisory services at the request of Governments, in cooperation with other bodies of the United Nations system;

35. *Requests* the Secretary-General to ensure that resident coordinators, in the execution of their mandates, fully incorporate a gender perspective, in particular into the coordinated follow-up to recent global United Nations conferences, fully utilizing all the expertise available in the United Nations Development Fund

for Women, the International Research and Training Institute for the Advancement of Women and other organizations of the United Nations system;

36. *Notes* the importance of the activities undertaken by the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women in the implementation of the Platform for Action, and encourages the strengthening of their cooperation and coordination within their respective mandates;

37. *Encourages* the Division for the Advancement of Women, acting as the secretariat of the Commission on the Status of Women, to play an especially active role in generating new ideas, proposing practical suggestions and promoting constructive implementation of the Platform for Action, including gender mainstreaming;

38. *Welcomes* the growing number of ratifications to the Convention on the Elimination of All Forms of Discrimination against Women[7] and the withdrawal of reservations, invites States parties to include information on measures taken to implement the Platform for Action in their reports, and encourages the Division for the Advancement of Women to provide to Governments, at their request, advice on reporting under the Convention;

39. *Urges* States to limit the extent of any reservations they lodge to the Convention, to formulate any such reservations as precisely and as narrowly as possible, to ensure that no reservations are incompatible with the object and purpose of the Convention or otherwise incompatible with international treaty law, to review their reservations regularly with a view to withdrawing them and to withdraw reservations that are contrary to the object and purpose of the Convention or that are otherwise incompatible with international treaty law;

40. *Welcomes* the progress made by the Inter-Agency Committee on Women and Gender Equality in strengthening system-wide coordination for implementation of the Platform for Action and gender mainstreaming, and encourages the Committee to continue its cooperation with Administrative Committee on Coordination bodies to develop strategies, tools and methodologies, such as gender-sensitive budgeting, to enhance implementation of the Platform for Action and for gender mainstreaming, in particular at the field level;

41. *Notes with appreciation* the work done by the Division for the Advancement of Women and by the Special Adviser on Gender Issues and the Advancement of Women, *inter alia*, in her role as the Chairperson of the Inter-Agency Committee on Women and Gender Equality, for the system-wide implementation of the Platform for Action, for increased system-wide attention to gender mainstreaming and towards the achievement of gender balance in the Secretariat and system-wide, and, in that regard, stresses the importance of increasing human and financial resources from all available funding sources;

42. *Encourages* international financial institutions to review and revise policies, procedures and staffing to ensure that investments and programmes benefit women;

43. *Invites* the World Trade Organization to consider how it might contribute to the implementation of the Platform for Action, including activities in cooperation with the United Nations system;

44. *Decides* to appraise progress on an annual basis and to retain on the agenda of its forthcoming sessions the item entitled "Implementation of the outcome of the Fourth World Conference on Women";

45. *Decides also* to convene, in the year 2000, a high-level plenary review to appraise and assess the progress achieved in the implementation of the Nairobi Forward-looking Strategies for the Advancement of

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[7] Resolution 34/180, annex.

Women[8] and the Platform for Action, five years after its adoption, and to consider further actions and initiatives, and requests the Secretary-General, with a view to ensuring participation at a high political level, to explore, in a report to the General Assembly at its fifty-second session, the possibility, among other options, of convening the review (*a*) at the start of the fifty-fifth session of the General Assembly, (*b*) within the framework of the proposed millennium Assembly, if agreed upon by the General Assembly, (*c*) following the annual session of the Commission on the Status of Women or (*d*) as a special session of the General Assembly;

46. *Decides further* that the Commission on the Status of Women shall serve as the preparatory committee for the high-level review and as such will be open to the participation of all States Members of the United Nations, members of the specialized agencies and observers, in accordance with the established practice of the General Assembly, and invites the Commission to take appropriate action towards that end, including giving attention to appropriate arrangements for the involvement and participation of non-governmental organizations in the review;

47. *Requests* the Commission on the Status of Women to consider at its forty-second session the report of the Secretary-General requested in paragraph 45 above, thus enabling the General Assembly, through the Economic and Social Council, to decide on this issue, as soon as possible, at its fifty-second session;

48. *Requests* the Secretary-General to report annually to the General Assembly, the Commission on the Status of Women and the Economic and Social Council on follow-up to and implementation of the Beijing Declaration and the Platform for Action.

70th plenary meeting
12 December 1997

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[8] *Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985* (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/639)*]

52/101. Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling its resolution 51/71 of 12 December 1996,

Having considered the report of the Secretary-General[1] and that of the United Nations High Commissioner for Refugees,[2]

Noting with appreciation the efforts expended by countries of asylum in accommodating refugees,

Convinced of the necessity of strengthening the capacity within the United Nations system for the implementation of relief programmes for refugees, returnees and displaced persons,

Welcoming the ongoing process of voluntary repatriation of refugees in some parts of Africa,

Welcoming also decision CM/Dec.362 (LXVI) on the situation of refugees, returnees and displaced persons in Africa, adopted by the Council of Ministers of the Organization of African Unity at its sixty-sixth ordinary session, held at Harare from 28 to 31 May 1997,[3]

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[1] A/52/360.

[2] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 12* (A/52/12).

[3] See A/52/465, annex I.

Welcoming further the outcome of the ministerial meeting of the Security Council on the situation in Africa, held on 25 September 1997,[4] and the attention that was given at that meeting to the issue of refugees, returnees and displaced persons in Africa,

Taking note of the memorandum of understanding signed by the Office of the United Nations High Commissioner for Refugees and the Southern African Development Community in July 1996 concerning refugees, returnees, displaced persons and undocumented migration in southern Africa,

Taking note also of the memorandum of understanding signed by the Office of the United Nations High Commissioner for Refugees and the Intergovernmental Authority on Development in June 1997 on refugees and returnee issues,

Recalling the provisions of its resolution 2312 (XXII) of 14 December 1967, by which it adopted the Declaration on Territorial Asylum,

Recalling also the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969[5] and the African Charter on Human and Peoples' Rights,[6]

Recognizing the need for States to create conditions conducive both to the prevention of flows of refugees and displaced persons and to solutions, especially voluntary repatriation,

Recognizing also the positive outcome of the conflict resolution efforts carried out in the subregion by the Economic Community of West African States, in creating a conducive environment for the voluntary repatriation of refugees and displaced persons,

Bearing in mind that the majority of refugees and displaced persons are women and children,

Noting with great concern that, despite all the efforts deployed so far by the United Nations, the Organization of African Unity and others, the situation of refugees and displaced persons in Africa, especially in the West African and Great Lakes regions and in the Horn of Africa, remains precarious,

1. *Takes note* of the report of the Secretary-General[1] and that of the United Nations High Commissioner for Refugees;[2]

2. *Notes with concern* that the declining socio-economic situation, compounded by political instability, internal strife, human rights violations and natural disasters, such as drought, has led to increased numbers of refugees and displaced persons in some countries of Africa;

3. *Expresses deep concern* at the serious and far-reaching consequences of large numbers of refugees and displaced persons in the receiving countries and the implications for security, long-term socio-economic development and the environment;

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[4] See S/PV.3819. For the final text, see *Official Records of the Security Council, Fifty-second Year*, 3819th meeting.

[5] United Nations, *Treaty Series*, vol. 1001, No. 14691.

[6] Ibid., vol. 1520, No. 26363.

4. *Expresses concern* at instances where the fundamental principle of asylum is jeopardized by the unlawful expulsion or refoulement or by threats to the life, physical security, integrity, dignity and well-being of refugees;

5. *Expresses its appreciation and strong support* for those African Governments and local populations that, in spite of the general deterioration of socio-economic and environmental conditions and over-stretched national resources, continue to accept the additional burden imposed upon them by increasing numbers of refugees and displaced persons, in compliance with the relevant principles of asylum;

6. *Commends* the Governments concerned for their sacrifices in providing assistance and protection to refugees, returnees and internally displaced persons and for their efforts to promote voluntary repatriation and other durable solutions;

7. *Expresses its gratitude* to the international community, and to the Office of the United Nations High Commissioner for Refugees in particular, for the humanitarian assistance it has continued to render to refugees and displaced persons and to the countries of asylum;

8. *Welcomes* the strengthening of cooperation between the Office of the High Commissioner and the Organization of African Unity at all levels, and urges the two organizations, in conjunction with United Nations agencies, intergovernmental and non-governmental organizations, the international community and the Governments concerned, to increase efforts aimed at facilitating voluntary repatriation in a dignified and orderly manner and at addressing the root causes of the refugee problem and working out modalities for a lasting solution;

9. *Reiterates* that the Plan of Action adopted by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held at Bujumbura from 15 to 17 February 1995, as endorsed by the General Assembly in its resolution 50/149, continues to be a viable framework for the resolution of the refugee and humanitarian problems in that region;

10. *Calls upon* the Office of the High Commissioner and other concerned entities to intensify protection activities by, *inter alia*, supporting the efforts of African Governments through appropriate capacity-building activities, including training of relevant officers, disseminating information about refugee instruments and principles and providing financial, technical and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees;

11. *Appeals* to Governments, the United Nations, intergovernmental and non-governmental organizations and the international community to create conditions to facilitate the voluntary return and the early rehabilitation and reintegration of refugees;

12. *Appeals* to the international community to respond positively, in the spirit of solidarity and burden-sharing, to the third-country resettlement requests of African refugees;

13. *Commends* the Governments of the Great Lakes and West African regions and of the Horn of Africa and the Office of the High Commissioner for their initiatives to promote repatriation within the framework of tripartite agreements on voluntary repatriation of refugees in the regions;

14. *Encourages* the Office of the United Nations High Commissioner for Refugees to continue to cooperate with the Office of the United Nations High Commissioner for Human Rights, within their respective mandates, in the promotion and protection of human rights and fundamental freedoms in emergency humanitarian situations in Africa;

15. *Welcomes* the ongoing efforts undertaken by the Office of the United Nations High Commissioner for Refugees with host Governments, the United Nations, non-governmental organizations and the international community in concentrating on the environment and ecosystems of countries of asylum;

16. *Notes with satisfaction* the voluntary return of millions of refugees to their homelands following the successful repatriation and reintegration operations carried out by the Office of the High Commissioner, with the cooperation and collaboration of countries hosting refugees and countries of origin, and looks forward to other programmes to assist the voluntary repatriation of all refugees in Africa;

17. *Expresses its concern* about the long stay of refugees in certain African countries, and calls upon the Office of the High Commissioner to keep its programmes under review, in conformity with its mandate in the host countries, taking into account the increasing requirements there;

18. *Urges* the international community to continue to fund the general refugee programmes of the Office of the High Commissioner, taking into account the substantially increased needs of programmes in Africa;

19. *Calls upon* Governments, United Nations agencies, non-governmental organizations and the international community as a whole to strengthen the emergency response capacity of the United Nations system on the basis of the experience of the emergency in the Great Lakes region and to continue to provide needed resources and operational support to refugees and countries of asylum in Africa until a durable solution can be found;

20. *Calls upon* the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure in areas affected by refugees in countries of asylum;

21. *Requests* all Governments and intergovernmental and non-governmental organizations to pay particular attention to meeting the special needs of refugee women and children;

22. *Calls upon* the Secretary-General, the Office of the High Commissioner and intergovernmental, regional and non-governmental organizations to increase the capacity for coordination and delivery of humanitarian emergency assistance and disaster relief in general with States and others concerned in respect of asylum, relief, repatriation, rehabilitation and resettlement of refugees, returnees and displaced persons, including refugees in urban areas;

23. *Requests* the Secretary-General to submit a comprehensive and consolidated report on the situation of refugees, returnees and displaced persons in Africa to the General Assembly at its fifty-third session, taking fully into account the efforts expended by countries of asylum, under the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions" and to present an oral report to the Economic and Social Council at its substantive session of 1998.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/52/639)]

52/102. Follow-up to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States

The General Assembly,

Recalling its resolutions 48/113 of 20 December 1993, 49/173 of 23 December 1994, 50/151 of 21 December 1995 and, in particular, 51/70 of 12 December 1996,

Having considered the report of the Secretary-General[1] and that of the United Nations High Commissioner for Refugees,[2]

Recognizing the acuteness of the migration and displacement problems in the countries of the Commonwealth of Independent States,

Noting with satisfaction the efforts of the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration in developing strategies and practical tools for more effective capacity-building and enhancing programmes to address the needs of various categories of concern to the countries of the Commonwealth of Independent States,

Convinced of the necessity for the further strengthening of practical measures towards the implementation of the Programme of Action adopted by the Regional Conference to Address the Problems of Refugees,

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[1] A/52/274 and Corr.1.

[2] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 12* (A/52/12).

Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States,[3]

Reaffirming the view of the Conference that the primary responsibility for tackling population displacement problems lies with the affected countries themselves and that these issues are to be regarded as national priorities, while at the same time recognizing the need for enhancing international support for the national efforts of the countries of the Commonwealth of Independent States aiming at the effective implementation of such responsibilities within the framework of the Programme of Action of the Conference,

Recalling that the protection and promotion of human rights and the strengthening of democratic institutions are essential to prevent mass population displacement,

Mindful of the fact that effective implementation of the recommendations contained in the Programme of Action of the Conference should be facilitated and can be ensured only through cooperation and coordinated activities undertaken in this respect by all interested States, intergovernmental and non-governmental organizations and other actors,

Noting and reaffirming the importance of the 1951 Convention[4] and the 1967 Protocol[5] relating to the Status of Refugees,

1. *Takes note* of the report of the Secretary-General[1] and that of the United Nations High Commissioner for Refugees;[2]

2. *Notes* the positive results achieved by the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and the Organization for Security and Cooperation in Europe in the implementation of the Programme of Action adopted by the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, and invites these organizations to continue to steer the ongoing and future activities relating to the follow-up to the Conference;

3. *Welcomes* the efforts of the Governments of those countries of the Commonwealth of Independent States that, in cooperation with the Office of the High Commissioner, the International Organization for Migration, the Organization for Security and Cooperation in Europe and the Council of Europe, have undertaken practical steps in the implementation of the Programme of Action;

4. *Invites* all countries that have not yet done so to accede to and implement fully the 1951 Convention and the 1967 Protocol relating to the Status of Refugees;

5. *Appreciates* the efforts made by the Office of the High Commissioner, the International Organization for Migration and the Organization for Security and Cooperation in Europe to support the implementation of the Programme of Action in the countries of the Commonwealth of Independent States, and underlines the necessity of an appropriate response by the international community to appeals for funds by the Office of the High Commissioner and the International Organization for Migration;

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[3] A/51/341 and Corr.1, annex, appendix.

[4] United Nations, *Treaty Series*, vol. 189, No. 2545.

[5] Ibid., vol. 606, No. 8791.

6. *Calls upon* States and interested international organizations, in a spirit of solidarity and burden-sharing, to provide appropriate forms and levels of support for the practical implementation of the Programme of Action;

7. *Invites* international financial and other institutions to contribute to the financing of projects and programmes within the framework of the implementation of the Programme of Action;

8. *Invites* the countries of the Commonwealth of Independent States to intensify bilateral and subregional cooperation in maintaining the balance of commitments and interests in the process leading up to the implementation of the Programme of Action;

9. *Calls upon* the Governments of the countries of the Commonwealth of Independent States to continue to strengthen their commitment to the principles underpinning the Programme of Action, in particular human rights and refugee protection principles, and to lend high-level political support to ensure progress in its implementation;

10. *Emphasizes* the necessity of fulfilling the recommendations of the Programme of Action relating to ensuring respect for human rights as an important factor in the management of migration flows, the consolidation of democracy, the rule of law and stability;

11. *Urges* the United Nations High Commissioner for Human Rights, in coordination with the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and the Organization for Security and Cooperation in Europe, to take into account those elements of the Programme of Action that are relevant to her mandate;

12. *Encourages* the involvement of intergovernmental and non-governmental organizations in the follow-up to the Conference, and invites them to demonstrate stronger support for the process of the multinational constructive dialogue among a wide range of the countries concerned and further action with a view to the full implementation of the recommendations of the Conference;

13. *Calls upon* the Governments of the countries of the Commonwealth of Independent States as well as international organizations to strengthen further their cooperation with non-governmental organizations and to increase their involvement in the implementation of the outcome and the follow-up to the Conference;

14. *Requests* the Office of the United Nations High Commissioner for Refugees to enhance its relationship with other key international actors, such as the Council of Europe, the European Commission and other human rights, development and financial institutions, in order to better address the wide-ranging and complex issues in the Programme of Action;

15. *Recognizes* the importance of undertaking measures, on the basis of strict adherence to all of the principles of international law, including humanitarian law and international human rights standards, to prevent situations leading to new flows of refugees and displaced persons and other forms of involuntary displacement;

16. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on progress achieved in the implementation of the Programme of Action;

17. *Decides* to continue examination of this question at its fifty-third session.

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Fifty-second session
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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/52/639)]

52/103. Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of her Office[1] and the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its forty-eighth session,[2]

Recalling its resolution 51/75 of 12 December 1996,

Reaffirming the fundamental importance of the 1951 Convention[3] and the 1967 Protocol[4] relating to the Status of Refugees, in particular their implementation in a manner fully compatible with the object and purpose of those instruments, and noting with satisfaction that one hundred and thirty-five States are now parties to one or both instruments,

Commending the High Commissioner and her staff for the competent, courageous and dedicated manner in which they discharge their responsibilities, paying tribute to those staff members whose lives have been endangered in the course of their duties, and deploring the deaths of staff members as a consequence of violent events in several countries around the world,

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[1] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 12* (A/52/12).

[2] Ibid., *Supplement No. 12A* (A/52/12/Add.1).

[3] United Nations, *Treaty Series*, vol. 189, No. 2545.

[4] Ibid., vol. 606, No. 8791.

1. *Endorses* the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its forty-eighth session;[2]

2. *Strongly reaffirms* the fundamental importance and the purely humanitarian and non-political character of the function of the Office of the United Nations High Commissioner for Refugees of providing international protection to refugees and seeking permanent solutions to the problem of refugees;

3. *Deplores* the immense human suffering and loss of life that have accompanied refugee flows and other forced displacements, in particular the numerous serious threats to the security or well-being of refugees, such as refoulement, unlawful expulsion, physical attacks and detention under unacceptable conditions, and calls upon States to take all measures necessary to ensure respect for the principles of refugee protection, including the humane treatment of asylum-seekers in accordance with internationally recognized human rights and humanitarian norms;

4. *Emphasizes* that refugee protection is primarily the responsibility of States, whose full and effective cooperation, action and political resolve are required to enable the Office of the High Commissioner to fulfil its mandated functions;

5. *Reaffirms* that everyone is entitled to the right to seek and enjoy in other countries asylum from persecution, and, as asylum is an indispensable instrument for the international protection of refugees, calls on all States to refrain from taking measures that jeopardize the institution of asylum, in particular by returning or expelling refugees or asylum-seekers contrary to international human rights and to humanitarian and refugee law;

6. *Stresses* the importance of international solidarity and burden-sharing in reinforcing the international protection of refugees, and urges all States and relevant non-governmental and other organizations, in conjunction with the Office of the High Commissioner, to cooperate in efforts to lighten the burden borne by States that have received large numbers of asylum-seekers and refugees;

7. *Condemns* all acts that pose a threat to the personal security of refugees and asylum-seekers, and calls upon States of refuge, in cooperation with international organizations where appropriate, to take all necessary measures to ensure that the civilian and humanitarian character of refugee camps and settlements is maintained, as well as to abstain from any activity likely to undermine this, *inter alia*, through effective measures to prevent the infiltration of armed elements, the identification and separation of any such armed elements from refugee populations, the settlement of refugees in secure locations and by affording to the Office of the High Commissioner and other appropriate humanitarian organizations prompt, unhindered and safe access to them;

8. *Calls upon* States and all concerned parties to refrain from any actions that prevent the staff of the Office of the High Commissioner and other humanitarian personnel from performing the functions required under their mandates or obstruct them in so doing, to take all possible measures to safeguard their physical security and property, to investigate fully any crime committed against them, to bring to justice persons responsible for such crimes and to facilitate the discharge of the mandated functions of the Office of the High Commissioner as well as of other humanitarian organizations;

9. *Urges* all States and relevant organizations to support the High Commissioner's search for durable solutions to refugee problems, including voluntary repatriation, integration in the country of asylum and resettlement in a third country, as appropriate, and welcomes in particular the ongoing efforts of her Office to pursue, wherever possible, opportunities to promote conditions conducive to the preferred solution of voluntary repatriation;

10. *Acknowledges* the desirability of comprehensive approaches by the international community to the problems of refugees and displaced persons, including addressing root causes, strengthening emergency preparedness and response, providing effective protection and achieving durable solutions;

11. *Recognizes* the value of comprehensive regional approaches in which the High Commissioner has played a significant part in both countries of origin and countries of asylum, and encourages States, in coordination and cooperation with each other and with international organizations, if applicable, to consider adopting protection-based comprehensive and regional approaches that conform fully with universally recognized standards and respond to particular regional initiatives, circumstances and protection needs;

12. *Reaffirms* that voluntary repatriation is the ideal solution to refugee problems, and calls upon countries of origin, countries of asylum, the Office of the High Commissioner and the international community as a whole to do everything possible to enable refugees to exercise their right to return home in safety and with dignity;

13. *Reiterates* the right of all persons to return to their country, and emphasizes in this regard the prime responsibility of countries of origin for establishing conditions that allow voluntary repatriation of refugees in safety and with dignity, and, in recognition of the obligation of all States to accept the return of their nationals, calls upon all States to facilitate the return of their nationals who have sought asylum and have been determined not to be refugees;

14. *Calls upon* all States to promote conditions conducive to the return of refugees and to support their sustainable reintegration by providing countries of origin with necessary rehabilitation and development assistance in conjunction, as appropriate, with the Office of the High Commissioner and relevant development agencies, urges the Office of the High Commissioner, within its mandate and at the request of the Government concerned and in view of the relationship between safeguarding human rights and preventing conditions that give rise to refugee outflows, to strengthen its support of national efforts at legal and judicial capacity-building, where necessary, in cooperation with the United Nations High Commissioner for Human Rights, and, in view of creating conditions furthering reconciliation and long-term development in countries of return, also urges the Office of the High Commissioner to strengthen its cooperation and coordination with relevant development agencies;

15. *Calls upon* States to adopt an approach that is sensitive to gender-related concerns and to ensure that women whose claims to refugee status are based upon a well-founded fear of persecution for reasons enumerated in the 1951 Convention[3] and the 1967 Protocol[4] relating to the Status of Refugees, including persecution through sexual violence or other gender-related persecution, are recognized as refugees, and encourages the Office of the High Commissioner to continue and to strengthen its efforts for the protection of refugee women;

16. *Urges* States and relevant parties to respect and observe principles of international human rights, humanitarian and refugee law that are of particular relevance to safeguarding the rights of child and adolescent refugees, and, noting the particular vulnerability of refugee children to being forcibly exposed to the risks of injury, exploitation and death in connection with armed conflict, urges all States and concerned parties to take all possible measures to protect child and adolescent refugees, including, in particular, from all forms of violence, exploitation and abuse, and to prevent their separation from their families;

17. *Calls upon* all Governments and other donors to demonstrate their international solidarity and burden-sharing with countries of asylum through efforts aimed at continuing to alleviate the burden borne by States, in particular developing countries, countries in transition and countries with limited resources, that, due to their location, host large numbers of refugees and asylum-seekers, to contribute to the programmes of the Office of the High Commissioner and, taking into account the effects on countries of asylum of the increasing requirements of large refugee populations and the need to widen the donor base and to achieve

greater burden-sharing among donors, to assist the High Commissioner in securing additional and timely income from traditional governmental sources, other Governments and the private sector in order to ensure that the needs of refugees, returnees and displaced persons of concern to the Office of the High Commissioner are fully met.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/639)*]

52/104. Continuation of the Office of the United Nations High Commissioner for Refugees

The General Assembly,

Recalling its resolution 47/104 of 16 December 1992, in which it decided to review, not later than at its fifty-second session, the arrangements for the Office of the United Nations High Commissioner for Refugees with a view to determining whether the Office should be continued beyond 31 December 1998,

Recognizing the need for concerted international action on behalf of refugees and displaced persons of concern to the United Nations High Commissioner for Refugees,

Considering the outstanding work that has been performed by the Office of the High Commissioner in providing international protection and material assistance to refugees and displaced persons as well as in promoting permanent solutions to their problems,

Noting with deep appreciation the effective manner in which the Office of the High Commissioner has been dealing with various essential humanitarian tasks entrusted to it,

1. *Decides* to continue the Office of the United Nations High Commissioner for Refugees for a further period of five years from 1 January 1999;

2. *Also decides* to review, not later than at its fifty-seventh session, the arrangements for the Office of the High Commissioner with a view to determining whether the Office should be continued beyond 31 December 2003.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/639)*]

52/105. Assistance to unaccompanied refugee minors

The General Assembly,

Recalling its resolutions 49/172 of 23 December 1994, 50/150 of 21 December 1995 and 51/73 of 12 December 1996,

Aware of the fact that the majority of refugees are children and women,

Bearing in mind that unaccompanied refugee minors are among the most vulnerable refugees and the most at risk of neglect, violence, forced military recruitment, sexual assault and other abuses and therefore require special assistance and care,

Mindful of the fact that the ultimate solution to the plight of unaccompanied minors is their return to and reunification with their families,

Noting the revised Guidelines on Refugee Children issued by the Office of the United Nations High Commissioner for Refugees in May 1994 and the development of an emergency kit to facilitate coordination and to enhance the quality of responses to the needs of unaccompanied minors by the Office of the High Commissioner, the United Nations Children's Fund and non-governmental organizations,

Noting with appreciation the efforts of the Office of the High Commissioner in the identification and tracing of unaccompanied refugee minors, and welcoming its efforts in reunifying family members of refugees,

Welcoming the efforts exerted by the United Nations High Commissioner for Refugees for the reunification of family members of refugees,

Noting the efforts of the High Commissioner to ensure the protection of and assistance to refugees, including children and unaccompanied minors, and noting that further efforts need to be exerted to this effect,

Recalling the provisions of the Convention on the Rights of the Child[1] and the 1951 Convention[2] and the 1967 Protocol[3] relating to the Status of Refugees,

1. *Takes note* of the report of the Secretary-General;[4]

2. *Expresses its deep concern* at the continued plight of unaccompanied refugee minors, and emphasizes once again the urgent need for their early identification and for timely, detailed and accurate information on their number and whereabouts;

3. *Expresses the hope once again* that adequate resources will be provided for programmes of identification and tracing of unaccompanied refugee minors;

4. *Calls upon* the Office of the United Nations High Commissioner for Refugees, in cooperation with other relevant United Nations bodies, to incorporate into its programmes policies that aim at preventing refugee family separation, considering the importance of family unity;

5. *Calls upon* all Governments, the Secretary-General, the Office of the High Commissioner, all United Nations organizations, other international organizations and non-governmental organizations concerned to exert the maximum effort to assist and protect refugee minors and to expedite the return to and reunification with their families of unaccompanied refugee minors;

6. *Urges* the Office of the High Commissioner, all United Nations organizations, other international organizations and non-governmental organizations concerned to take appropriate steps to mobilize resources commensurate with the needs and interests of unaccompanied refugee minors and towards their reunification with their families;

7. *Calls upon* all States and other parties to armed conflict to respect international humanitarian law, and, in this regard, calls upon States parties to respect fully the provisions of the Geneva Conventions of 12 August 1949[5] and related instruments, while bearing in mind resolution 2 adopted at the twenty-sixth International Conference of the Red Cross and Red Crescent, held at Geneva from 3 to 7 December 1995, and to respect the provisions of the Convention on the Rights of the Child, which accord children affected by armed conflict special protection and treatment;

8. *Condemns* all acts of exploitation of unaccompanied refugee minors, including their use as soldiers or human shields in armed conflict and their forced recruitment into military forces, and any other acts that endanger their safety and personal security;

9. *Calls upon* the Secretary-General, the United Nations High Commissioner for Refugees, the Department of Humanitarian Affairs of the Secretariat, the United Nations Children's Fund and other United

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[1] Resolution 44/25, annex.

[2] United Nations, *Treaty Series*, vol. 189, No. 2545.

[3] Ibid., vol. 606, No. 8791.

[4] A/52/273.

[5] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

Nations organizations and international organizations to mobilize adequate assistance to unaccompanied refugee minors in the areas of relief, education, health and psychological rehabilitation;

10. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution and to give special attention to the girl-child refugee in his report.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/640)*]

52/106. The girl child

The General Assembly,

Recalling its resolutions 50/42 of 8 December 1995, 50/154 of 21 December 1995, 50/203 of 22 December 1995 and 51/76 of 12 December 1996,

Also recalling the Beijing Declaration and the Platform for Action of the Fourth World Conference on Women,[1] the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development,[2] the Programme of Action of the International Conference on Population and Development,[3] the Vienna Declaration and Programme of Action of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[4] the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s of the World

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[1] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[2] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[3] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[4] A/CONF.157/24 (Part I), chap. III.

Summit for Children, held in New York on 29 and 30 September 1990,[5] the World Declaration on Education for All and the Framework for Action to Meet Basic Learning Needs adopted at the World Conference on Education for All[6] and the Declaration and Agenda for Action of the World Congress against Commercial Sexual Exploitation of Children, held at Stockholm from 27 to 31 August 1996,[7]

Deeply concerned that girls, in particular adolescent girls, continue to be silent and invisible victims of violence, abuse and exploitation and that some legal systems do not adequately address the vulnerability of girls in the administration of justice, including the need for better protection of child victims and witnesses,

Recalling that in 1998 the fiftieth anniversary of the Universal Declaration of Human Rights[8] will be observed, the mid-term review of the implementation of the Programme of Action of the International Conference on Population and Development will be carried out and the Commission on the Status of Women will review, at its forty-second session, the implementation of the sections of the Platform for Action of the Fourth World Conference on Women on the girl child and the human rights of women,

Welcoming the appointment of the Special Representative of the Secretary-General on the impact of armed conflict on children, in accordance with section II of its resolution 51/77 of 12 December 1996,

Stressing that discrimination and neglect of the girl child can initiate a lifelong downward spiral of deprivation and exclusion from the social mainstream,

Deeply concerned about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access for girls to education, nutrition, physical and mental health care and in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys and often being subjected to various forms of cultural, social, sexual and economic exploitation and to violence and harmful practices such as incest, early marriage, female infanticide, prenatal sex selection and female genital mutilation,

Deeply concerned also that, in situations of poverty, war and armed conflict, girl children are among the victims most affected and that thus their potential for full development is limited,

Concerned that the girl child has become a victim of the human immunodeficiency virus/acquired immunodeficiency syndrome and sexually transmitted diseases, which affect the quality of her life and leave her open to further discrimination,

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[5] A/45/625, annex.

[6] *Final Report of the World Conference on Education for All: Meeting Basic Learning Needs, Jomtien, Thailand, 5-9 March 1990*, Inter-Agency Commission (UNDP, UNESCO, UNICEF, World Bank) for the World Conference on Education for All, New York, 1990, appendices I and II.

[7] A/51/385, annex.

[8] Resolution 217 A (III).

Reaffirming the equal rights of women and men as enshrined, *inter alia*, in the preamble to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women[9] and the Convention on the Rights of the Child,[10]

1. *Stresses* the need for full and urgent implementation of the rights of the girl child as guaranteed to her under all human rights instruments, including the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women;

2. *Urges* all States to take all necessary measures and to institute legal reforms to ensure the full and equal enjoyment by the girl child of all human rights and fundamental freedoms and to take effective action against violations of those rights and freedoms;

3. *Also urges* all States to enact and enforce legislation protecting girls from all forms of violence, including female infanticide and prenatal sex selection, female genital mutilation, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, and to develop age-appropriate safe and confidential programmes and medical, social and psychological support services to assist girls who are subjected to violence;

4. *Calls upon* all States and international and non-governmental organizations, individually and collectively:

(*a*) To set goals and to develop and implement gender-sensitive strategies to address the rights and needs of children, in accordance with the Convention on the Rights of the Child, to take into account the rights and particular needs of the girl child, especially in education, health and nutrition, and to eliminate negative cultural attitudes and practices against the girl child;

(*b*) To take measures to ensure the non-discrimination and equal enjoyment of all human rights and fundamental freedoms of the girl child with disabilities;

(*c*) To generate social support for the enforcement of laws on the minimum legal age for marriage, in particular by providing educational opportunities for girls;

(*d*) To give attention to the rights and needs of adolescent girls, which call for special action for their protection from sexual and economic exploitation and abuse, harmful traditional and cultural practices, teenage pregnancy and vulnerability to the human immunodeficiency virus/acquired immunodeficiency syndrome and sexually transmitted diseases and for the development of life skills and self-esteem, reaffirming that the advancement and empowerment of women throughout the life cycle must begin with the girl child at all ages;

(*e*) To take measures to increase awareness of the potential of the girl child and to promote gender-sensitive socialization of boys and girls from early childhood, with the aim of achieving gender equality, development and peace within the family and the community;

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[9] Resolution 34/180, annex.

[10] Resolution 44/25, annex.

(*f*) To ensure the equal participation of girls and young women on the basis of non-discrimination and as partners with boys and young men in social, economic and political life and in the development of strategies and the implementation of action aimed at achieving gender equality, development and peace;

(*g*) To strengthen and reorient health education and health services, in particular primary health-care programmes, including in sexual and reproductive health, and to design quality health programmes that meet the physical and mental needs of girls and attend to the needs of young expectant and nursing mothers;

5. *Urges* States to enact and strictly enforce laws to ensure that marriage is entered into only with the free and full consent of the intending spouses, to enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage and to raise the minimum age for marriage where necessary;

6. *Also urges* States to eliminate all barriers so as to enable girls, without exception, to develop their full potential and skills through equal access to education and training;

7. *Encourages* States to consider ways and means to ensure the continuing education of married women, pregnant women and young mothers;

8. *Urges* States to take special measures for the protection of children, in particular to protect girls from rape and other forms of sexual abuse and gender-based violence in situations of armed conflict, paying special attention to refugee and displaced girls, in line with the recommendations of the expert appointed by the Secretary-General to study the impact of armed conflict on children,[11] and to take into account the special needs of the girl child in the delivery of humanitarian assistance;

9. *Urges* States parties to fulfil the obligations they have undertaken under the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women to protect women and girls from all forms of violence, including domestic violence, sexual trafficking and child prostitution;

10. *Urges* States to implement measures to protect women and girls from all forms of violence, in line with the recommendations of the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences;[12]

11. *Requests* all States to implement, on an urgent basis, measures to protect children from all forms of sexual exploitation, including measures in line with those outlined in the Declaration and Agenda for Action of the World Congress against Commercial Sexual Exploitation of Children;[7]

12. *Calls upon* Governments, civil society, including the media, and non-governmental organizations to promote human rights education and the full respect for and enjoyment of the human rights of the girl child, *inter alia*, through the translation, production and dissemination of age-appropriate information materials on these rights to all sectors of society, in particular to children;

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[11] See A/51/306 and Add.1.

[12] E/CN.4/1997/47 and Add.1 to 3.

13. *Calls upon* Governments to encourage efforts by civil society and non-governmental organizations, including women's organizations, to establish community-based groups or local committees which could assist with the safety and welfare of children;

14. *Requests* the Secretary-General, as Chairman of the Administrative Committee on Coordination, to ensure that all organizations and bodies of the United Nations system, individually and collectively, in particular the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the World Food Programme, the United Nations Population Fund, the United Nations Development Fund for Women, the World Health Organization, the United Nations High Commissioner for Human Rights, the United Nations Development Programme and the United Nations High Commissioner for Refugees, take into account the rights and the particular needs of the girl child, especially in education, health and nutrition, and eliminate negative cultural attitudes and practices against the girl child in the implementation of the outcomes of all recent global conferences, in particular the Platform for Action of the Fourth World Conference on Women, and of the system-wide medium-term plan for the advancement of women for the period 1996-2001;[13]

15. *Calls upon* the Commission on Human Rights, while considering, in accordance with agreed conclusions 1996/1 of 26 July 1996 of the Economic and Social Council,[14] its input to the Commission on the Status of Women on ensuring women's equal enjoyment of their human rights, in particular those relating to economic resources, to pay particular attention to all the human rights of the girl child;

16. *Requests* all human rights treaty bodies, special procedures and other human rights mechanisms of the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities to regularly and systematically adopt a gender perspective in the implementation of their mandates and to include in their reports information on and qualitative analysis of violations of human rights of women and girls, and encourages the strengthening of cooperation and coordination in that regard;

17. *Calls upon* States and international and non-governmental organizations to mobilize all necessary resources, support and efforts to realize the goals, strategic objectives and actions set out in the Platform for Action of the Fourth World Conference on Women;

18. *Calls upon* all States, all relevant organizations and bodies of the United Nations system and non-governmental organizations to implement commitments to goals and actions relating to the girl child and to report on initiatives and progress to the Commission on the Status of Women at its forty-second session, pursuant to the decision of the Commission to review, in 1998, the progress made in the implementation of the provisions of the Platform for Action of the Fourth World Conference on Women relating to the girl child.

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[13] E/1993/43, annex.

[14] See A/51/3 (Part I), chap. III, sect. A. For the final text, see *Official Records of the General Assembly, Fifty-first Session, Supplement No. 3.*

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/640)*]

52/107. The rights of the child

The General Assembly,

Recalling its resolutions 51/76 and 51/77 of 12 December 1996, 51/186 of 16 December 1996 and Commission on Human Rights resolution 1997/78 of 18 April 1997,[1]

Also recalling the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s adopted by the World Summit for Children, held in New York on 29 and 30 September 1990,[2] notably the solemn commitment to give high priority to the rights of children, to their survival and to their protection and development, and reaffirming the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[3] which, *inter alia*, states that national and international mechanisms and programmes for the defence and protection of children, in particular those in especially difficult circumstances, should be strengthened, including through effective measures to combat exploitation and abuse of children, such as female

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[1] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[2] A/45/625, annex.

[3] A/CONF.157/24 (Part I), chap. III.

infanticide, harmful child labour, sale of children and organs, child prostitution and child pornography, as well as other forms of sexual abuse, and which reaffirms that all human rights and fundamental freedoms are universal,

Underlining the need for mainstreaming a gender perspective into all policies and programmes relating to children,

Profoundly concerned that the situation of children in many parts of the world remains critical as a result of inadequate social and economic conditions, poverty, natural disasters, armed conflicts, displacement, exploitation, racism and all forms of intolerance, unemployment, rural-to-urban migration, illiteracy, hunger, disability and drug abuse, and convinced that urgent and effective national and international action is called for,

Inviting Member States to promote the values of peace, understanding and dialogue in the education of children, as well as awareness of the urgent need to combat poverty, malnutrition and illiteracy worldwide,

Recognizing that legislation alone is not enough to prevent violations of the rights of the child, that stronger political commitment is needed and that Governments should implement their laws and complement legislative measures with effective action,

Recommending that, within their mandates, all relevant human rights mechanisms and all other relevant organs and mechanisms of the United Nations system and the supervisory bodies of the specialized agencies pay attention to particular situations in which children are in danger and where their rights are violated and that they take into account the work of the Committee on the Rights of the Child,

Stressing the need to strengthen partnerships between Governments, international organizations and all sectors of civil society, in particular non-governmental organizations, in order to achieve these objectives,

Reaffirming that the best interests of the child shall be a primary consideration in all actions concerning children,

I

IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

1. *Welcomes* the unprecedented number of one hundred and ninety-one States that have ratified or acceded to the Convention on the Rights of the Child[4] as a universal commitment to the rights of the child;

2. *Once again urges* all States that have not yet done so to sign and ratify or accede to the Convention as a matter of priority, with a view to reaching the goal of universal adherence established by the World Summit for Children and reiterated in the Vienna Declaration and Programme for Action;

3. *Recognizes* the important role of the Committee on the Rights of the Child in creating awareness of the principles and provisions of the Convention and in providing recommendations to States parties on its implementation;

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[4] Resolution 44/25, annex.

4. *Invites* the Committee to enhance further the constructive dialogue with the States parties to the Convention and the transparent and effective functioning of the Committee;

5. *Requests* the Secretary-General to ensure the provision of appropriate staff and facilities for the effective and expeditious performance of the functions of the Committee, and takes note of the Plan of Action of the United Nations High Commissioner for Human Rights to strengthen the implementation of the Convention;

6. *Calls upon* States parties to implement the Convention fully, to cooperate closely with the Committee and to comply in a timely manner with their reporting obligations under the Convention, in accordance with the guidelines elaborated by the Committee;

7. *Also calls upon* States parties to the Convention to withdraw reservations incompatible with the object and purpose of the Convention and to consider reviewing other reservations;

8. *Recalls* that the amendment to paragraph 2 of article 43 of the Convention, which would increase the membership of the Committee on the Rights of the Child from ten to eighteen experts, was adopted by the Conference of States Parties to the Convention on the Rights of the Child on 12 December 1995, that this amendment was approved by the General Assembly in its resolution 50/155 of 21 December 1995, and, therefore, calls upon States parties to the Convention to take appropriate measures so that acceptance of the amendment by a two-thirds majority of States parties may be reached as soon as possible in order that the amendment may enter into force;

9. *Calls upon* States parties to the Convention to ensure that the education of the child shall be carried out in accordance with article 29 of the Convention and that the education be directed, *inter alia*, towards the development of respect for human rights and fundamental freedoms, the Charter of the United Nations and for different cultures and towards the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, gender equality and friendship among peoples, ethnic, national and religious groups and persons of indigenous origin;

10. *Also calls upon* States parties to the Convention, in accordance with their obligation under article 42 of the Convention, to make the principles and provisions of the Convention widely known to adults and children alike, and further calls upon States parties to encourage training on the rights of the child for those involved in activities concerning children, for example through the programme of advisory services and technical cooperation in the field of human rights;

11. *Stresses* that the implementation of the Convention contributes to the achievement of the goals of the World Summit for Children, as emphasized in the report of the Secretary-General on the progress at mid-decade on implementation of General Assembly resolution 45/217 of 21 December 1990 on the World Summit for Children;[5]

12. *Encourages* the Committee, in monitoring the implementation of the Convention, to continue to pay attention to the needs of children in especially difficult circumstances;

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[5] A/51/256.

II

CHILDREN WITH DISABILITIES

1. *Welcomes* the increased attention given by the Committee on the Rights of the Child to the equal enjoyment by children with disabilities of the rights of the child;

2. *Calls upon* all States to take all necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children with disabilities and to develop and enforce legislation against discrimination against children with disabilities;

3. *Also calls upon* all States to promote a full and decent life for children with disabilities, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community;

4. *Emphasizes* the right to education as a human right, and calls upon States to make education accessible to children with special educational needs in a manner conducive to the child's achieving the fullest possible social integration and individual development and to adopt an integrated approach to providing adequate support and appropriate education for such children;

5. *Welcomes* the decision by the Economic and Social Council[6] to request the Special Rapporteur on Disability of the Commission for Social Development, in monitoring the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities,[7] to pay special attention to children with disabilities and the invitation to enhance the cooperation between the Special Rapporteur and the Committee on the Rights of the Child, and requests the United Nations High Commissioner for Human Rights and the United Nations Children's Fund to work closely with him;

6. *Calls upon* all States, in complying with their reporting obligations to the Committee under paragraph 1 of article 44 of the Convention on the Rights of the Child, to include, in accordance with the Committee's guidelines on the rights of the child,[8] information on the situation and the needs of children with disabilities, including disaggregated data, and on the measures taken to ensure to such children their enjoyment of the rights under the Convention;

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[6] E/1997/INF/3/Add.1, resolution 1997/20. For the final text, see *Official Records of the Economic and Social Council, 1997, Supplement No. 1* (E/1997/97).

[7] Resolution 48/96, annex.

[8] CRC/C/58.

III

PREVENTION AND ERADICATION OF THE SALE OF CHILDREN AND OF THEIR SEXUAL EXPLOITATION, INCLUDING CHILD PROSTITUTION AND CHILD PORNOGRAPHY

1. *Welcomes* the interim report of the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography,[9] and expresses its support for her work in examining, all over the world, the question of the sale of children, child prostitution and child pornography;

2. *Requests* the Secretary-General to provide the Special Rapporteur with all necessary human and financial assistance to make the full discharge of the mandate possible and to enable her to submit an interim report to the General Assembly at its fifty-third session and a report to the Commission on Human Rights at its fifty-fourth session;

3. *Supports* the work of the open-ended inter-sessional working group of the Commission on Human Rights on the elaboration of a draft optional protocol to the Convention on the Rights of the Child related to the sale of children, child prostitution and child pornography, and expresses the hope that it will make further progress prior to the fifty-fourth session of the Commission with a view to finalizing that work before the tenth anniversary of the Convention;

4. *Calls upon* all States parties to the Convention to fulfil their obligation under article 34 of the Convention, and also calls upon all States to support efforts in the context of the United Nations system aimed at adopting effective national, bilateral and multilateral measures for the prevention and eradication of the sale of children and of their sexual exploitation, including child prostitution and child pornography, in particular by criminalizing the sexual exploitation of children;

5. *Requests* all States to implement on an urgent basis measures to protect children from all forms of sexual exploitation and sexual abuse, including measures in line with those outlined in the Declaration and Agenda for Action of the World Congress against Commercial Sexual Exploitation of Children, held at Stockholm from 27 to 31 August 1996;[10]

6. *Calls upon* States to criminalize all forms of sexual exploitation of children, including commercial sexual exploitation, and to condemn and penalize all those offenders involved, whether local or foreign, while ensuring that children victims of this practice are not penalized;

7. *Also calls upon* States to review and revise, where appropriate, laws, policies, programmes and practices to eliminate all forms of sexual exploitation of children, including commercial sexual exploitation;

8. *Further calls upon* States to enforce relevant laws, policies and programmes to protect children from sexual exploitation, in particular by penalizing all those offenders involved, and to strengthen communication and cooperation between law enforcement authorities;

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[9] A/52/482.

[10] A/51/385, annex.

9. *Stresses* the need to combat the existence of a market that encourages such criminal practices against children;

10. *Urges* States, in cases of sex tourism, to develop or strengthen and implement laws to criminalize the acts of nationals of the countries of origin when committed against children in the countries of destination, to ensure that a person who exploits a child for sexual abuse purposes in another country is prosecuted by competent national authorities, either in the country of origin or in the country of destination, to strengthen laws and law enforcement, including confiscation and seizure of assets and profits and other sanctions, against those who commit sexual crimes against children in countries of destination and to share relevant data;

11. *Requests* States to step up cooperation and concerted action by all relevant law enforcement authorities and institutions with a view to dismantling national, regional and international networks in trafficking in children;

12. *Invites* States to allocate resources to provide comprehensive programmes designed to heal and to rehabilitate into society child victims of trafficking and sexual exploitation, including through job training, legal assistance and confidential health care, and to take all appropriate measures to promote their physical and psychological recovery and social reintegration;

IV

PROTECTION OF CHILDREN AFFECTED BY ARMED CONFLICT

1. *Expresses grave concern* at the numerous damaging effects of armed conflict on children, including the use of children as combatants in such situations, and emphasizes the need for the world community to focus increased attention on this serious problem with a view to bringing it to an end;

2. *Invites* all States to accede to relevant international human rights and humanitarian law instruments, and urges them to implement those instruments to which they are parties;

3. *Calls upon* all States and other parties to armed conflict to respect international humanitarian law, and, in this regard, calls upon States parties to respect fully the provisions of the Geneva Conventions of 12 August 1949[11] and the additional protocols thereto of 1977,[12] while bearing in mind resolution 2 of the twenty-sixth International Conference of the Red Cross and Red Crescent, held at Geneva from 3 to 7 December 1995, and to respect the provisions of the Convention on the Rights of the Child which accord children affected by armed conflict special protection and treatment;

4. *Calls upon* States and United Nations bodies and organizations to treat children during conflict and in post-conflict situations as a priority concern in human rights, humanitarian and development activities, including in field operations and country programmes, to enhance coordination and cooperation throughout the United Nations system and to ensure effective protection for children affected by armed conflict;

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[11] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[12] Ibid., vol. 1125, Nos. 17512 and 17513.

5. *Recommends* that the humanitarian concerns relating to children affected by armed conflict and their protection be fully reflected in United Nations field operations, which, *inter alia*, promote peace, prevent and resolve conflicts and implement peace agreements;

6. *Underlines* the importance that measures to ensure respect for the rights of the child, including in the areas of health and nutrition, formal, informal or non-formal education, physical and psychological recovery and social reintegration, be included within emergency and other humanitarian assistance policies and programmes;

7. *Stresses* the need for Governments and other parties to armed conflict to take measures, including the establishment, for example, of "days of tranquillity" and "corridors of peace", to ensure humanitarian access, the delivery of humanitarian relief and the provision of services, such as education and health, including immunization of children affected by armed conflict;

8. *Supports* the work of the open-ended inter-sessional working group of the Commission on Human Rights on a draft optional protocol to the Convention on the Rights of the Child related to the involvement of children in armed conflict, and expresses the hope that it will make further progress prior to the fifty-fourth session of the Commission with a view to finalizing this work;

9. *Urges* States and all other parties to armed conflict to adopt all necessary measures to end the use of children as soldiers and to ensure their demobilization and reintegration into society, including through adequate education and training, in a manner that fosters their self-respect and dignity, and invites the international community to assist in this endeavour;

10. *Welcomes* increased international efforts in various forums with respect to anti-personnel mines, recognizes the positive effect on children of those efforts, and, in this regard, takes due note of the conclusion of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction and its implementation by those States that become parties to it, as well as of the amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-traps and Other Devices (Protocol II)[13] of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects;[14]

11. *Calls upon* all States and relevant United Nations bodies, including the United Nations Voluntary Trust Fund for Assistance in Mine Clearance, to contribute on an ongoing basis to international mine clearance efforts, and urges States to take further action to promote gender- and age-appropriate mine-awareness programmes and child-centred rehabilitation, thereby reducing the number and the plight of child victims;

12. *Reaffirms* that rape in the conduct of armed conflict constitutes a war crime and that under certain circumstances it constitutes a crime against humanity and an act of genocide, as defined in the

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[13] See CCW/CONF. I/16 (Part I).

[14] See *The United Nations Disarmament Yearbook*, Vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

Convention on the Prevention and Punishment of the Crime of Genocide,[15] and calls upon all States to take all measures required for the protection of women and children from all acts of gender-based violence, including rape, sexual exploitation and forced pregnancy, and to strengthen mechanisms to investigate and punish all those responsible and bring the perpetrators to justice;

13. *Urgently requests* that appropriate measures be taken by Member States and United Nations agencies, within the scope of their respective mandates, to ensure humanitarian access to children affected by armed conflict, to facilitate the extension of humanitarian assistance, including education, and to ensure the physical and psychological recovery and reintegration into society of child soldiers, victims of landmines and victims of gender-based violence;

14. *Recommends* that whenever sanctions are imposed their impact on children be assessed and monitored and that humanitarian exceptions be child-focused and formulated with clear application guidelines;

15. *Recalls* the importance of preventive measures such as early warning systems, preventive diplomacy and education for peace to prevent conflicts and their negative impact on the rights of the child, and urges Governments and the international community to promote sustainable human development;

16. *Calls upon* all States, in accordance with the norms of international humanitarian law, to integrate in their armed forces' training and education programmes, including those for peacekeeping, instruction on responsibilities towards the civilian population, in particular women and children;

17. *Welcomes* the appointment of Mr. Olara Otunnu as the Special Representative of the Secretary-General on the impact of armed conflict on children, in accordance with General Assembly resolution 51/77 of 12 December 1996;

18. *Invites* Governments, the specialized agencies, relevant United Nations bodies, notably the Office of the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund and regional, intergovernmental and non-governmental organizations, as well as the Committee on the Rights of the Child, to cooperate with the Special Representative and to contribute to his work, including to his annual report;

19. *Recommends* that the Secretary-General ensure that the necessary support is made available to the Special Representative for the effective performance of his mandate, encourages the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees and the Office of the United Nations High Commissioner for Human Rights to provide support to the Special Representative, and calls upon States and other institutions to provide voluntary contributions for that purpose;

20. *Invites* Member States and relevant United Nations bodies and non-governmental organizations to consider how the subject of the impact of armed conflict on children can best be integrated into events designed to commemorate the tenth anniversary of the World Summit for Children and the entry into force of the Convention on the Rights of the Child;

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[15] Resolution 260 A (III).

V

REFUGEE AND INTERNALLY DISPLACED CHILDREN

1. *Urges* Governments to pay particular attention to the situation of refugee and internally displaced children by continuing to design and improve the implementation of policies for their care and well-being, with the necessary international cooperation, in particular with the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund and international humanitarian organizations;

2. *Calls upon* States and United Nations bodies, in recognizing the particular vulnerability of refugee and internally displaced children, to protect both their safety and their developmental needs, including health, education and psycho-social rehabilitation;

3. *Expresses its deep concern* about the growing number of unaccompanied refugee and internally displaced children, and calls upon all States and United Nations bodies and agencies to ensure the early identification and registration of unaccompanied refugee and internally displaced children, to give priority to programmes for family tracing and reunification and to continue monitoring the care arrangements for unaccompanied refugee and internally displaced children;

4. *Calls upon* all States and other parties to armed conflicts to recognize the particular vulnerability of refugee and internally displaced children to the damaging effects of such conflicts, stresses the special vulnerability of child-headed households, and calls upon Governments and United Nations bodies to give these situations urgent attention, to enhance protection and assistance mechanisms and to involve women and youth in the design, delivery and monitoring of measures taken to this effect;

5. *Invites* the representative of the Secretary-General on internally displaced persons to take into account the situation of internally displaced children in his preparation of guiding principles which are to form part of a comprehensive framework for the protection of internally displaced persons;

VI

ELIMINATION OF EXPLOITATION OF CHILD LABOUR

1. *Reaffirms* the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous to or interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development;

2. *Welcomes* the measures taken by Governments to eliminate the exploitation of child labour, while recalling the Programme of Action for the Elimination of the Exploitation of Child Labour,[16] and calls upon relevant United Nations agencies, in particular the United Nations Children's Fund and the International Labour Organization, to continue to support national efforts in this regard;

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[16] *Official Records of the Economic and Social Council, 1993, Supplement No. 3* (E/1993/23), chap. II, sect. A, resolution 1993/79, annex.

3. *Also welcomes* the recent holding of various international conferences on various forms of child labour;

4. *Further welcomes* the efforts by the Committee on the Rights of the Child in the area of child labour, takes note of its recommendations,[17] and encourages the Committee as well as other relevant human rights treaty bodies, within their respective mandates, to continue to monitor this growing problem when examining reports of States parties;

5. *Calls upon* all States to translate into concrete action their commitment to the progressive and effective elimination of all forms of exploitative child labour, and urges them, as a matter of priority, to eliminate all extreme forms of child labour, such as forced labour, bonded labour and other forms of slavery;

6. *Calls upon* all States that have not yet done so to consider ratifying the conventions of the International Labour Organization concerning the abolition of forced labour and the minimum age for employment, including for particularly hazardous work for children, and to implement those conventions;

7. *Calls upon* all States to support the negotiation, with a view to its early finalization, by the International Labour Organization of a future instrument aimed at eradicating the most intolerable forms of child labour;

8. *Also calls upon* all States to set specific target dates for eliminating all forms of child labour that are contrary to accepted international standards and for ensuring the full enforcement of relevant existing laws and, where appropriate, enacting legislation necessary to implement their obligations under the Convention on the Rights of the Child and International Labour Organization standards ensuring the protection of working children;

9. *Further calls upon* all States to recognize the right to education by making primary education compulsory and by ensuring that all children have access to free primary education as a key strategy in preventing child labour;

10. *Calls upon* all States to systematically assess and examine, in close cooperation with international organizations such as the International Labour Organization and the United Nations Children's Fund, the magnitude, nature and causes of the exploitation of child labour and to develop and implement strategies for combating these practices, with a specific emphasis on the situation of girls, their right to education and to access to schools on an equal basis with boys, in close cooperation with the United Nations Educational, Scientific and Cultural Organization;

11. *Calls upon* all States and the United Nations system to strengthen international cooperation as a means of assisting Governments in preventing or combating violations of the rights of the child, including the exploitation of child labour;

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[17] See *Official Records of the General Assembly, Fifty-first Session, Supplement No. 41* (A/51/41).

VII

THE PLIGHT OF CHILDREN LIVING AND/OR WORKING ON THE STREETS

1. *Expresses grave concern* about the large number of children living and/or working on the streets and at the continued growth in incidents and reports worldwide of such children being affected by serious crime, drug trafficking and abuse, violence and prostitution;

2. *Welcomes* the continuing efforts of Governments, the United Nations system and civil society to tackle this multifaceted problem;

3. *Calls upon* Governments to continue actively to seek comprehensive solutions for the problems of children living and/or working on the streets, including by helping to alleviate the poverty of such children, their families or guardians, by taking measures to ensure their reintegration into society and by providing, *inter alia*, adequate nutrition, shelter, health care and education, taking into account that such children are particularly vulnerable to all forms of violence, abuse, exploitation and neglect;

4. *Emphasizes* that the provisions of the Convention on the Rights of the Child and other relevant human rights instruments must constitute the standard in efforts to deal with this problem, and recommends that the Committee on the Rights of the Child and other relevant human rights treaty monitoring bodies continue to give attention to it when examining the reports of States parties;

5. *Strongly urges* all Governments to guarantee the respect for all human rights and fundamental freedoms, in particular the right to life, to take urgent measures to prevent the killing of children living and/or working on the streets, to combat torture and violence against them and to ensure strict compliance with the Convention and other relevant human rights instruments, including the requirement that legal and juridical processes respect the rights of the child;

6. *Calls upon* the international community to support, through effective international cooperation, the efforts of States to improve the situation of children living and/or working on the streets, and encourages States parties to the Convention, in preparing their reports to the Committee on the Rights of the Child, to take full account of the particular needs and rights of such children and to consider requesting technical advice and assistance for initiatives aimed at improving their situation;

VIII

Decides:

(*a*) To request the Secretary-General to submit a report on the rights of the child to the General Assembly at its fifty-third session containing information on the status of the Convention on the Rights of the Child and the problems addressed in the present resolution;

(*b*) To request the Special Representative of the Secretary-General on the impact of armed conflict on children to submit to the General Assembly and the Commission on Human Rights an annual report containing relevant information on the situation of children affected by armed conflict, bearing in mind existing mandates and reports of relevant bodies;

(*c*) To continue its consideration of this question at its fifty-third session under the item entitled "Promotion and protection of the rights of the child".

70th plenary meeting
12 December 1997

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A/RES/52/108
18 February 1998

Fifty-second session
Agenda item 109

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/641)*]

52/108. International Decade of the World's Indigenous People

The General Assembly,

Recalling its previous resolutions on the International Decade of the World's Indigenous People,

Recalling also that the goal of the Decade is to strengthen international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health and that the theme of the Decade is "Indigenous people: partnership in action",

Recognizing the importance of consultation and cooperation with indigenous people in planning and implementing the programme of activities for the International Decade of the World's Indigenous People,[1] the need for adequate financial support from the international community, including support from within the United Nations system, and the need for adequate coordination and communication channels,

1. *Takes note* of the report of the Secretary-General on the implementation of the programme of activities for the International Decade of the World's Indigenous People;[2]

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[1] Resolution 50/157, annex.

[2] A/52/509.

2. *Affirms its conviction* of the value and diversity of the cultures and forms of social organization of indigenous people and its conviction that the development of indigenous people within their countries will contribute to the socio-economic, cultural and environmental advancement of all the countries of the world;

3. *Emphasizes* the importance of strengthening the human and institutional capacity of indigenous people to develop their own solutions to their problems, recommends once again, for these purposes, that the United Nations University consider the possibility of sponsoring, in each region, one or more existing institutions of higher education as centres of excellence and the diffusion of expertise, *inter alia*, by conducting relevant studies, and invites the Commission on Human Rights to recommend appropriate means of implementation;

4. *Notes* that the programme of activities for the Decade may be reviewed and updated throughout the Decade and that, at the mid-point of the Decade, the Economic and Social Council and the General Assembly should review the results of the activities in order to identify obstacles to the achievement of the goals of the Decade and to recommend solutions for overcoming those obstacles;

5. *Decides* to appoint the United Nations High Commissioner for Human Rights as coordinator for the International Decade of the World's Indigenous People, and requests the High Commissioner, in that capacity:

(*a*) To promote the objectives of the Decade, taking into account, in the fulfilment of her functions, the special concerns of indigenous people;

(*b*) To consider organizing a workshop for research and higher education institutions, as outlined in Commission on Human Rights resolution 1997/32 of 11 April 1997,[3] focusing on indigenous issues, in consultation with indigenous people and the relevant United Nations bodies;

(*c*) To give due regard to the dissemination of information on the situation, cultures, languages, rights and aspirations of indigenous people;

(*d*) To submit, through the Secretary-General, an annual report to the General Assembly on the implementation of the programme of activities for the Decade;

6. *Reaffirms* the adoption of a declaration on the rights of indigenous people as a major objective of the Decade, and underlines the importance of effective participation by indigenous representatives in the open-ended inter-sessional working group of the Commission on Human Rights established pursuant to Commission on Human Rights resolution 1995/32 of 3 March 1995;[4]

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[3] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[4] Ibid., *1995, Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

7. *Also reaffirms*, among the objectives of the Decade listed in the programme of activities, the consideration of the establishment of a permanent forum for indigenous people within the United Nations system;

8. *Welcomes* the holding of the second workshop on the establishment of a permanent forum for indigenous people within the United Nations system at Santiago, from 30 June to 2 July 1997, takes note of the report thereon,[5] and recommends that the Commission on Human Rights at its fifty-fourth session take into account the outcome of the workshop and the comments received by the United Nations High Commissioner for Human Rights from Governments, the relevant United Nations bodies and organizations, the specialized agencies, non-governmental organizations and indigenous organizations in its further consideration of the possible establishment of a permanent forum for indigenous people within the United Nations system;

9. *Also welcomes* the holding of the workshop on traditional knowledge and biological diversity at Madrid, from 24 to 28 November 1997, convened to address the implementation of article 8 (*j*) of the Convention on Biological Diversity[6] with regard to the role of traditional knowledge, innovations and practices of indigenous and local communities in the sustainable use of biological diversity;

10. *Encourages* Governments to support the Decade by:

(*a*) Preparing relevant programmes, plans and reports in relation to the Decade, in consultation with indigenous people;

(*b*) Seeking means, in consultation with indigenous people, of giving indigenous people greater responsibility for their own affairs and an effective voice in decisions on matters that affect them;

(*c*) Establishing national committees or other mechanisms involving indigenous people to ensure that the objectives and activities of the Decade are planned and implemented on the basis of full partnership with indigenous people;

(*d*) Contributing to the United Nations Trust Fund for the International Decade for the World's Indigenous People;

(*e*) Contributing, together with other donors, to the United Nations Voluntary Fund for Indigenous Populations in order to assist indigenous representatives in participating in the Working Group on Indigenous Populations of the Subcommission on Prevention of Discrimination and Protection of Minorities and the open-ended inter-sessional working group of the Commission on Human Rights charged with elaborating a draft declaration on the rights of indigenous people;

(*f*) Considering contributing, as appropriate, to the Fund for the Development of Indigenous Peoples in Latin America and the Caribbean, in support of the achievement of the goals of the Decade;

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[5] E/CN.4/SUB.2/AC.4/1997/CRP.1.

[6] See United Nations Environment Programme, *Convention on Biological Diversity* (Environmental Law and Institution Programme Activity Centre), June 1992.

(*g*) Identifying resources for activities designed to implement the goals of the Decade, in cooperation with indigenous people and intergovernmental and non-governmental organizations;

11. *Invites* the United Nations financial and developmental institutions, operational programmes and the specialized agencies, in accordance with the existing procedures of their governing bodies:

(*a*) To give increased priority and resources to improving the conditions of indigenous people, with particular emphasis on the needs of those people in developing countries, including through the preparation of specific programmes of action for the implementation of the goals of the Decade, within their areas of competence;

(*b*) To launch special projects, through appropriate channels and in collaboration with indigenous people, to strengthen their community-level initiatives and to facilitate the exchange of information and expertise among indigenous people and other relevant experts;

(*c*) To designate focal points for coordination of activities related to the Decade with the Office of the United Nations High Commissioner for Human Rights;

12. *Recommends* that the Secretary-General ensure coordinated follow-up to the recommendations concerning indigenous people of relevant world conferences, namely, the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, the United Nations Conference on Environment and Development, held at Rio de Janeiro, Brazil, from 3 to 14 June 1992, the International Conference on Population and Development, held at Cairo from 5 to 13 September 1994, the Fourth World Conference on Women, held at Beijing from 4 to 15 September 1995, and the World Summit for Social Development, held at Copenhagen from 6 to 12 March 1995;

13. *Requests* the United Nations High Commissioner for Human Rights to submit, through the Secretary-General, a report on the implementation of the programme of activities of the Decade to the General Assembly at its fifty-third session;

14. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Programme of activities of the International Decade of the World's Indigenous People".

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12 December 1997

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18 February 1998

Fifty-second session
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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/642)*]

52/109. Measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance

The General Assembly,

Recalling its resolution 51/79 of 12 December 1996, and taking note of Commission on Human Rights resolutions 1997/73 and 1997/74 of 18 April 1997,[1]

Bearing in mind the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, in particular the attention given in the Vienna Declaration and Programme of Action[2] to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

Aware that racism, as one of the exclusionist phenomena plaguing many societies, requires resolute action and cooperation for its eradication,

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[1] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[2] A/CONF.157/24 (Part I), chap. III.

Having examined the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,[3] including its conclusions and recommendations,

Deeply concerned that, despite continued efforts, racism, racial discrimination, xenophobia and related intolerance, as well as acts of violence, persist and even grow in magnitude, incessantly adopting new forms, including tendencies to establish policies based on racial, religious, ethnic, cultural and national superiority or exclusivity,

Deeply concerned also that those advocating racism and racial discrimination misuse new communication technologies, including the Internet, to disseminate their repugnant views,

Noting that the use of such technologies can contribute to combating racism, racial discrimination, xenophobia and related intolerance,

Conscious of the fundamental difference between, on the one hand, racism and racial discrimination as governmental policy or resulting from official doctrines of racial superiority or exclusivity and, on the other hand, other manifestations of racism, racial discrimination, xenophobia and related intolerance that are increasingly visible in segments of many societies and are perpetrated by individuals or groups, some of which manifestations are directed against migrant workers and members of their families,

Noting that the Committee on the Elimination of Racial Discrimination, in its general recommendation XV (42) of 17 March 1993[4] on article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination,[5] holds that the prohibition of the dissemination of ideas based on racial superiority or racial hatred is compatible with the right to freedom of opinion and expression as outlined in article 19 of the Universal Declaration of Human Rights[6] and in article 5 of the Convention,

Conscious that impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and tends to encourage the recurrence of such crimes,

Emphasizing the importance of creating conditions that foster greater harmony and tolerance within societies,

1. *Takes note with appreciation* of the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance;[3]

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[3] See A/52/471.

[4] See *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 18* (A/48/18), chap. VIII, sect. B.

[5] Resolution 2106 A (XX).

[6] Resolution 217 A (III).

2. *Requests* the Special Rapporteur to continue his exchange of views with Member States, relevant mechanisms, related United Nations organs and the specialized agencies in order to further their effectiveness and mutual cooperation;

3. *Welcomes* the recommendation of the Special Rapporteur to convene, without further delay, a world conference on racism, racial discrimination, xenophobia and related intolerance;

4. *Affirms* that acts of racist violence against others stemming from racism do not comprise expressions of opinion but rather offences;

5. *Expresses its profound concern about and unequivocal condemnation* of all forms of racism and racial discrimination, in particular all racist violence, and related acts of random and indiscriminate violence;

6. *Also expresses its profound concern about and unequivocal condemnation* of all forms of racism and racial discrimination, including propaganda, activities and organizations based on doctrines of superiority of one race or group of persons that attempt to justify or promote racism and racial discrimination in any form;

7. *Expresses its profound concern about and condemnation* of manifestations of racism, racial discrimination, xenophobia and related intolerance against migrant workers and members of their families, persons belonging to minorities and members of vulnerable groups in many societies;

8. *Encourages* all States to include in their educational curricula and social programmes at all levels, as appropriate, knowledge of, and tolerance and respect for, foreign cultures, peoples and countries;

9. *Recognizes* that the increasing gravity of different manifestations of racism, racial discrimination and xenophobia in various parts of the world requires a more integrated and effective approach on the part of the relevant mechanisms of United Nations human rights machinery;

10. *Encourages* Governments to take appropriate measures to eradicate all forms of racism, racial discrimination, xenophobia and related intolerance;

11. *Categorically deplores* the misuse of print, audio-visual and electronic media and new communication technologies, including the Internet, to incite violence motivated by racial hatred;

12. *Recognizes* that Governments should implement and enforce appropriate and effective legislation to prevent acts of racism, racial discrimination, xenophobia and related intolerance;

13. *Calls upon* all Governments and intergovernmental organizations, with the assistance of non-governmental organizations, as appropriate, to supply relevant information to the Special Rapporteur to enable him to fulfil his mandate;

14. *Commends* non-governmental organizations for the action that they have taken against racism and racial discrimination and for the continuous support and assistance that they have provided to the victims of racism and racial discrimination;

15. *Urges* all Governments to cooperate fully with the Special Rapporteur with a view to enabling him to fulfil his mandate;

16. *Requests* the Secretary-General to provide the Special Rapporteur with all the necessary human and financial assistance to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit an interim report to the General Assembly at its fifty-third session.

70th plenary meeting
12 December 1997